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*Special Counsel to Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

v.

SIPA LIQUIDATION

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

(Substantively Consolidated)

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Adv. Pro. No. 10-05119 (SMB)

Plaintiff,

v.

MISCORK CORP. #1; MARTIN GETTINGER, in
his capacity as Trustee for MISCORK CORP. #1;
and MISCORK CORP.,

Defendants.

**NOTICE OF VOLUNTARY DISMISSAL OF
ADVERSARY PROCEEDING**

PLEASE TAKE NOTICE that Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel Windels Marx Lane & Mittendorf, LLP, and pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure applicable in adversary proceedings), hereby dismisses the above-captioned adversary proceeding with prejudice.

On October 3, 2017, the parties entered into a settlement agreement pursuant to the Settlement Procedures Order entered by this Court on November 12, 2010 [Dkt. No. 3181]. Pursuant to Bankruptcy Rule 7041, the Trustee is permitted to voluntarily dismiss this adversary proceeding without further order of the Court by filing this Notice of Voluntary Dismissal as, as of the date hereof, the opposing parties have served neither an answer nor a motion for summary judgment.

Dated: New York, New York
October 12, 2017

By: /s/ Howard L. Simon
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